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 AMAZON WEB SERVICES, INC.

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

IN RE PERSONALWEB TECHNOLOGIES,  
 LLC, ET AL., PATENT LITIGATION

AMAZON.COM, INC. and AMAZON WEB  
 SERVICES, INC.,

Plaintiffs,

v.

PERSONAL WEB TECHNOLOGIES, LLC, and  
 LEVEL 3 COMMUNICATIONS, LLC,

Defendants.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

**JOINT STIPULATION AND  
~~PROPOSED~~ ORDER VACATING  
 HEARING ON KESSLER MOTION  
 AND CASE MANAGEMENT  
 CONFERENCE SCHEDULED FOR  
 FEBRUARY 7, 2019**

PersonalWeb Technologies, LLC and Level 3 Communications, LLC (collectively, “PersonalWeb”) and Amazon.com, Inc. and Amazon Web Services, Inc. (collectively, “Amazon”) hereby stipulate and recite as follows:

WHEREAS, a continued Case Management Conference (“CMC”) and hearing on Amazon’s Motion for Summary Judgment on Declaratory Judgment Claims and Defenses Under the Claim Preclusion and *Kessler* Doctrine (“*Kessler* Motion Hearing”) is scheduled for February 7, 2019;

WHEREAS, due to an unforeseen medical emergency, PersonalWeb’s lead counsel, Michael A. Sherman, cannot attend the *Kessler* Motion Hearing and CMC on February 7, 2019;

WHEREAS, PersonalWeb has requested and Amazon has agreed to vacate the February 7, 2019 hearing and CMC;

WHEREAS, the parties agree that the *Kessler* Motion Hearing should take place as soon as possible, subject to the availability of PersonalWeb’s lead counsel and the Court, and agree to jointly contact chambers by February 7, 2019 (or as soon thereafter as the parties and the Court’s Calendar Clerk are available) to discuss the earliest available dates for a hearing;

**IT IS HEREBY STIPULATED AND AGREED** by the parties as follows:

The CMC and *Kessler* Motion Hearing originally scheduled for February 7, 2019 is vacated, and the parties shall contact the Court’s Calendar Clerk by February 7, 2019 (or as soon thereafter as the parties and the Court’s Calendar Clerk are available) to discuss available dates for the *Kessler* Motion Hearing.

Respectfully submitted,

Dated: February 4, 2019

STUBBS ALDERTON & MARKILES, LLP

By: /s/Viviana Boero Hedrick

Viviana Boero Hedrick

Counsel for PERSONALWEB  
TECHNOLOGIES, LLC, and LEVEL 3  
COMMUNICATIONS, LLC

1 Dated: February 4, 2019

FENWICK & WEST LLP

2 By: /s/ Ravi R. Ranganath

3 Ravi R. Ranganath

4 Counsel for AMAZON.COM, INC. and  
5 AMAZON WEB SERVICES, INC.

6 Dated: February 4, 2019

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13 Counsel for PERSONALWEB  
14 TECHNOLOGIES, LLC

15 Dated: February 4, 2019

DAVID D. WIER

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20 Telephone: (720) 888-3539

21 Counsel for  
22 LEVEL 3 COMMUNICATIONS, LLC

**ATTESTATION**

The undersigned attests that concurrence in the filing of the foregoing document was obtained from all of its signatories.

Dated: February 4, 2019

STUBBS ALDERTON & MARKILES, LLP

By: /s/Viviana Boero Hedrick

Viviana Boero Hedrick

Counsel for PERSONALWEB  
TECHNOLOGIES, LLC, and LEVEL 3  
COMMUNICATIONS, LLC

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: February 4, 2019



Honorable Beth Labson Freeman  
United States District Judge